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PTO/SB/21 (08-03)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/702,202
		Filing Date	11-04-2003
		First Named Inventor	Russ
		Art Unit	2879
		Examiner Name	Patel
Total Number of Pages in This Submission	5*	Attorney Docket Number	81163/7114

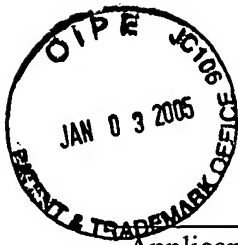
ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement under 1.97e Return postcard to applicant's attorney.
Remarks *Exclusive of cited references.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	FITCH, EVEN, TABIN & FLANNERY Julie A. Hopper (Reg. No. 50869)
Signature	
Date	December 30, 2004

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Signature		Date	December 30, 2004.

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Russ

Serial No.: 10/702,202

Filed: 11-04-2003

Title: FIELD EMISSION DISPLAY
UTILIZING A CATHODE
FRAME-TYPE GATE

Group Art Unit: 2879

Examiner: Patel

Attorney Docket No.: 81163/7114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☒ under 37 CFR 1.97(c) together with either a:
 - ☒ Statement under 37 CFR 1.97(e), or
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
 - ☐ Statement under 37 CFR 1.97(e), and
 - ☐ a \$180.00 fee set forth in 37 CFR 1.17(p) which may be charged to deposit account number 06-1135 of Fitch, Even, Tabin & Flannery.
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO/SB/08A Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are

aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The items listed on PTO/SB/08A are either in the English language or an English translation is provided, therefore, no further explanation is required.

Applicant submits that the above references taken alone or in combination neither anticipates nor renders obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.


It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

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Date of Deposit: December 30, 2004

Typed Name: Julie A. Hopper

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FITCH, EVEN, TABIN & FLANNERY

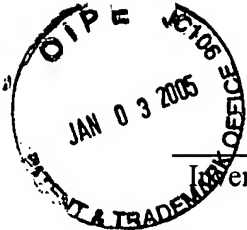

Julie A. Hopper

Attorney/Agent for Applicant(s)

Reg. No. 50869

Date: December 30, 2004

Telephone No.: (858) 552-1311



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Russ

Serial No.: 10/702,202

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Examiner: Patel

Group Art Unit: 2879

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

- (X) Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
 - was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

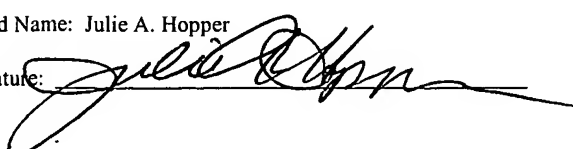
Respectfully Submitted,

FITCH, EVEN, TABIN & FLANNERY

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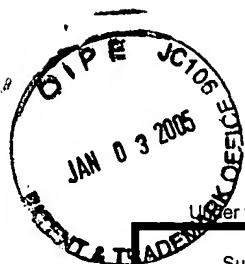
Julie A. Hopper

Attorney/Agent for Applicant(s)

Reg. No.: 50869

Date: December 30, 2004

Telephone No.: 858-552-1311



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/702,202
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First Named Inventor	Russ
Art Unit	2879
Examiner Name	Patel
Attorney Docket Number	81163/7114

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US 2001-0035712	11-01-2001	Berman, et al	
		USPN 6,172,456	01-09-2001	Cathey, et al	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PCT/US03/36758, International Search Report, SONY CORPORATION, 17 November 2003.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.